

Adopted	Rejected
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COMMITTEE REPORT

YES:	11
NO:	1

MR. SPEAKER:

*Your Committee on Public Policy, Ethics and Veterans Affairs, to which was referred House Bill 1455, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 7.1-3-21-11 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 11. (a) As used in this
- 4 section, "wall" means a wall of a building. The term does not include
- 5 a boundary wall.
- 6 (b) Except as provided in subsection (c), the commission shall not
- 7 issue a permit for a premises if a wall of the premises is situated within
- 8 two hundred (200) feet from a wall of a school or church, if no permit
- 9 has been issued for the premises under the provisions of Acts 1933,
- 10 Chapter 80.
- 11 (c) ~~This subsection applies to a county having a population of more~~
- 12 ~~than one hundred eight thousand nine hundred fifty (108,950) but less~~
- 13 ~~than one hundred twelve thousand (112,000) the commission shall not~~
- 14 ~~issue a permit for a premises if a wall of the premises is situated within~~
- 15 ~~two hundred (200) feet from a wall of a school or church unless:~~

(1) the permit is a beer dealer or wine dealer permit for a grocery store

(2) the main entrance of the grocery store and the main entrance of the school or church face different streets or roads;

(3) there is a physical barrier between the grocery store and the school or church that prevents a person from moving between the two (2) properties; and

(4) a wall of the grocery store is not situated within one hundred (100) feet from a wall of the school or church.

(c) This section does not apply to premises if:

(1) a wall of the premises is situated within two hundred (200) feet from a wall of a church; and

(2) the commission determines that the church does not object to the issuance of the permit for the premises.

If the church tenders a waiver and it is accepted by the commission, subsection (b) does not apply to the permit premises on a subsequent renewal or transfer of ownership. The commission shall base its determination under subdivision (2) on the written statement or statements of the authorized representative of the church.

SECTION 2. IC 7.1-4-4.5-3, AS AMENDED BY P.L.201-1999, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. The hard cider excise tax shall be paid by the holder of a vintner's permit, a farm winery permit, a wine wholesaler's permit, **a beer wholesaler's permit**, a dining car wine permit, or a boat wine permit on the hard cider to which the tax is applicable and that is manufactured or imported by the person into this state. However, an item may only be taxed once for hard cider excise tax purposes.

SECTION 3. IC 7.1-5-7-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 12. ~~Employment of Minors Prohibited.~~ **Except as provided in section 13 of this chapter,** it is a Class B misdemeanor for a person to employ a minor in or about a place where alcoholic beverages are sold, furnished, or given away for consumption either on or off the licensed premises, in a capacity which requires or allows the minor to sell, furnish, or otherwise deal in alcoholic beverages.

SECTION 4. IC 7.1-5-7-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 13. ~~Employment of~~

~~Minors: Exceptions. The provisions of IC 1971, 7.1-5-7-12, shall~~
Section 12 of this chapter does not prohibit the following:

(1) The employment of a person at least eighteen (18) years of age or older but less than twenty-one (21) years of age on or about licensed premises where alcoholic beverages are sold, furnished, or given away for consumption either on or off the licensed premises, for a purpose other than:

(A) selling;

(B) furnishing, other than serving;

(C) consuming; or

(D) otherwise dealing in;

~~alcoholic beverages. Nor shall the provisions of IC 1971, 7.1-5-7-12, prohibit~~

(2) A person at least eighteen (18) years of age or older but less than twenty-one (21) years of age from ringing up a sale of alcoholic beverages in the course of his the person's employment.

(3) A person at least nineteen (19) years of age but less than twenty-one (21) years of age from serving alcoholic beverages in a dining area or family room of a restaurant or hotel:

(A) in the course of the person's employment as a waiter, waitress, or server; and

(B) under the supervision of a person who is at least twenty-one (21) years of age and is present at the restaurant or hotel.

This subdivision does not allow a person at least nineteen (19) years of age but less than twenty-one (21) years of age to be a bartender.

SECTION 5. [EFFECTIVE UPON PASSAGE] (a) Not later than December 31, 2001, the alcoholic beverage commission shall report

1 **to the legislative council a recommendation to improve the quota**
2 **allocations of alcoholic beverage permits.**

3 **(b) This SECTION expires January 1, 2002.**

4 **SECTION 6. An emergency is declared for this act.**
 (Reference is to HB 1455 as introduced.)

and when so amended that said bill do pass.

Representative Kuzman